

THE HONORABLE JAMES L. ROBERT

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICROSOFT CORPORATION,  
Plaintiff,

vs.

MOTOROLA, INC., et al.,  
Defendants.

MOTOROLA MOBILITY, INC., et al.,  
Plaintiffs,

vs.

MICROSOFT CORPORATION,  
Defendants.

Case No. C10-1823-JLR

DECLARATION OF CHRISTOPHER  
WION IN SUPPORT OF  
MICROSOFT'S OPPOSITION TO  
DEFENDANTS' MOTIONS IN LIMINE

**Noted: October 19, 2012**

I, Christopher Wion hereby declare as follows:

1. I am an attorney at the law firm of Calfo Harrigan Leyh & Eakes LLP, one of the law firms representing Microsoft Corporation ("Microsoft") in the above-captioned matter, and have personal knowledge of the facts stated herein.

DECLARATION OF CHRISTOPHER WION IN  
SUPPORT OF MICROSOFT'S OPPOSITION TO  
DEFENDANTS' MOTIONS IN LIMINE - 1

LAW OFFICES  
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1           2.       Attached hereto as Exhibit 1 is a true and correct copy of an excerpt of the  
2 transcript of the April 10, 2012 deposition of Amy A. Marasco, taken in the above-captioned  
3 case.

4           3.       Attached hereto as Exhibit 2 (Filed Under Seal) is a true and correct copy of the  
5 transcript of the April 4, 2012 deposition of Horacio E. Gutierrez, taken in the above-captioned  
6 case.

7           4.       Attached hereto as Exhibit 3 (Filed Under Seal) is a true and correct copy of the  
8 August 10, 2012 Rebuttal Expert Report of Kevin M. Murphy, submitted in the above-  
9 captioned case.

10          5.       Attached hereto as Exhibit 4 true and correct copy of the transcript of the  
11 August 28, 2012 deposition of Ramamirtham Sukumar, taken in the above-captioned case.

12          6.       Attached hereto as Exhibit 5 is a true and correct copy of the July 24, 2012  
13 Opening Expert Report of Ramamirtham Sukumar, submitted in the above-captioned case.

14          7.       Attached hereto as Exhibit 6 (Filed Under Seal) is a true and correct copy of the  
15 July 24, 2012 Opening Expert Report of Matthew Lynde, submitted in the above-captioned  
16 case.

17          8.       Attached hereto as Exhibit 7 (Filed Under Seal) is a true and correct transcript  
18 from the July 12, 2012 deposition of David W. Curtis, taken in the above-captioned case.

19          9.       Attached hereto as Exhibit 8 is a true and correct copy of Jonathan L. Rubin,  
20 "Patents, Antitrust, and Rivalry in Standard-Setting," 38 *Rutgers Law Journal* 509 (2007).

21          10.       Attached hereto as Exhibit 9 (Filed Under Seal) is a true and correct copy of the  
22 transcript of the August 24, 2012 deposition of Charles R. Donohoe, taken in the above-  
23 captioned case.  
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1           11. Attached hereto as Exhibit 10 (Filed Under Seal) is a true and correct copy of  
2 the transcript of the August 22, 2012 deposition of Richard L. Schmalensee, taken in the  
3 above-captioned case.

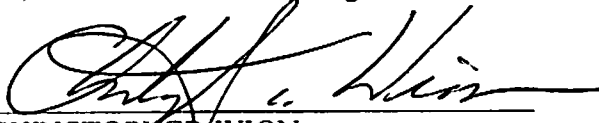
4           12. Attached hereto as Exhibit 11 (Filed Under Seal) is a true and correct copy of  
5 the July 24, 2012 Opening Expert Report of Michael J. Dansky, submitted in the above-  
6 captioned case.

7           13. Attached hereto as Exhibit 12 is a true and correct copy of an October 11, 2012  
8 *Law360.com* article entitled "An Interview with Fed. Circ. Chief Judge Rader: Part 1,"  
9 available online at: <[http://www.law360.com/technology/articles/385311/an-interview-with-](http://www.law360.com/technology/articles/385311/an-interview-with-fed-circ-chief-judge-rader-part-1)  
10 [fed-circ-chief-judge-rader-part-1](http://www.law360.com/technology/articles/385311/an-interview-with-fed-circ-chief-judge-rader-part-1)>, last accessed October 12, 2012.

11           14. Attached hereto as Exhibit 13 is a true and correct copy of Jorge L. Contreras,  
12 "Rethinking RAND: SDO-Based Approaches to Patent Licensing Commitments," ITU Patent  
13 Roundtable Working Paper (Oct. 2012).

14           I declare under penalty of perjury under the laws of the United States of America that  
15 the foregoing is true and correct.

16           DATED this 15<sup>th</sup> day of October, 2012 in Seattle, Washington.

17   
18 CHRISTOPHER WION

**CERTIFICATE OF SERVICE**

I, Linda Bledsoe, swear under penalty of perjury under the laws of the State of Washington to the following:

1. I am over the age of 21 and not a party to this action.
2. On the 15<sup>th</sup> day of October, 2012, I caused the preceding document to be served on counsel of record in the following manner:

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8 DATED this 15<sup>th</sup> day of October, 2012.

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11 LINDA BLEDSOE  
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DECLARATION OF CHRISTOPHER WION IN  
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